

DISCLAIMER

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AN ORDINANCE AMENDING CHAPTER 25 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SOLID WASTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Section 25-2 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 25-2. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed in this section, except where the context clearly indicates a different meaning:

Ashes means residue resulting from the burning of wood, coal, coke or other combustible material.

Attached unit means two (2) or more units sharing a common wall (excluding floor and ceiling) which each unit generates no more garbage per week than can be placed or stored in a maximum of two (2) automated containers totaling a combined capacity of no more than one hundred eighty (180) gallons when accumulated between collections.

Automated recycling container means the brown wheeled automated container owned by the city and provided for the collection of recyclable materials as defined in the city's "Recycle Greensboro" program.

Automated refuse container means the green wheeled refuse container owned by the city and provided for the collection of wet and dry garbage.

Building material means lumber, brick, stone, dirt, carpet, plumbing materials, plaster, concrete, floor coverings, roofing material, gutters and other materials or substances accumulated as a result of new construction, repairs, remodeling, or additions to existing structures or accessory structures or demolition of such.

Bulk trash means items too large to fit into an automated refuse container, such as large household furnishings, mattresses, box springs, dismantled swing sets (with concrete removed, clothesline poles (with concrete removed), lawn equipment (i.e. mowers, wheelbarrows), and similar large household items.

City means the City of Greensboro, North Carolina.

City manager means the person or persons designated by the city council to perform duties and responsibilities as chief executive officer for the City of Greensboro.

Collection means the act of removing solid waste from a point of generation to an approved disposal site.

Collection on private property means the act of removing solid waste from private developments for an additional fee from a point of generation to an approved disposal site. Collection shall be made at a mutually established location approved by the property manager and the solid waste manager or his designee for automated collection and rear packer collection.

Construction/demolition debris landfill means a sanitary landfill that is limited to receiving large stumps, concrete, brick, treated wood, and uncontaminated earth.

Curbline means the line or edging along a street bordered by the street that forms part of the gutter.

Environmental services director means the person or persons designated by the city manager to perform duties and responsibilities as department head over the solid waste management division.

Foul odors means offensive odors emanating from, but not limited to, solid waste.

Garbage (dry) means the accumulation of any nonrecyclable articles from households or businesses, such as discarded clothing, toys, small appliances, sweepings, rags, packaging materials, which is associated with the operation of stores or offices but not associated with the production, distribution, warehousing, construction, or manufacturing of a product.

Garbage (wet) means animal and vegetable refuse resulting from the handling, preparation, cooking and consumption of food, including a minimum amount of liquid necessarily incident thereto.

Hazardous waste: The following is an explanation of hazardous waste as published in the North Carolina Hazardous Waste Management Law adopted for the Federal Environmental Protection Agency (EPA). For the purposes of this chapter, the definition "hazardous waste" has been condensed. The terms defined are not inclusive of all items specified by the EPA regulations. Hazardous waste is defined as potentially dangerous byproducts of our highly industrialized society which cannot be handled, treated or disposed of without special precautions. It includes ignitable, corrosive, reactive and toxic waste such as acetone, gasoline and industrial alcohol, alkaline cleaners, acids, cyanide and chlorine, arsenic, pesticide wastes, paint, caustics, infected material, offal, fecal matter (human and animal), and explosives.

Industrial waste means all waste, including solids, semisolids, sludge and liquids created by factories, processing plants or other manufacturing enterprises.

Inert debris means solid waste that is composed of material that exhibits non-leaching characteristics such as uncontaminated soils, concrete, brick, concrete block, gravel and rock, and untreated and unpainted wood.

Infectious waste means a solid waste capable of producing an infectious disease. Examples of waste designated as infectious are: micro-biological waste, pathological waste, blood products, improperly packaged sharps and all other waste as defined in the medical waste management regulation under 15A NCAC 13B.1200 in North Carolina Solid Waste Management rules.

Litter means any discarded man-made materials including, but not limited to, solid waste materials, industrial materials, household trash, business trash, building materials, scrap materials and hazardous waste as such terms are defined in this chapter and not properly containerized or prepared for collection and disposal.

Physical disability means a medical condition, verified by a registered physician, that makes an individual physically unable to bring the automated refuse/automated recycling container to the curbside for collection and where there is no one else residing in the household capable of taking the containers to the curbside.

Premises means lots, sidewalks, rights-of-way, grass strips or curbs up to the edge of the pavement of any public street.

Private street means a street not open to public use, on private property, and not maintained by any governmental agency.

Private property means all of that property as described and set out in an owner's deed including, but not limited to, yards, grounds, driveways, entrances or passageways, parking areas, storage areas, vacant land, bodies of water and including sidewalks, grass strips, one-half of alleys, curbs or rights-of-way up to the edge of the pavement of any public street.

Public street means the entire width between property lines, whatever nature, when any part thereof is dedicated or open to the use of the public as a matter of right for the purpose of vehicular or pedestrian traffic.

Public property means all that property except private property as herein defined, including but not limited to highways, streets, parks, recreation areas, sidewalks, grass strips, medians, curbs or rights-of-way up to the edge of the pavement of any public street or body of water.

Public right-of-way means land that is dedicated or otherwise legally established for public use.

Recyclables means items included in the city's "Recycle Greensboro" recycling program that includes but is not limited to selected glass, newsprint and accompanying inserts, magazines, aluminum, cardboard and other items determined to be recyclable by the solid waste manager.

Refuse means the accumulation of any solid waste.

Sanitary landfill means a facility for the disposal of solid waste on land in a sanitary manner in accordance with the North Carolina Solid Waste Management Rules.

Single business unit means any single nonresidential unit that generates no more garbage per week than can be placed or stored in a maximum of two (2) automated containers totaling a combined capacity of no more than one hundred eighty (180) gallons when accumulated between collections, such as a dental office, medical office, insurance office or an other business in which the major activity is providing a service or is clerical in nature and does not in itself produce a product.

Single-family residential unit means any dwelling place occupied by one (1) family.

Solid waste means accumulations consisting of any combination of business trash, wet or dry garbage, household trash, bulk items, yardwaste and recyclables.

Solid waste manager means the person or persons designated by the city manager to perform duties and responsibilities assigned by this chapter to the solid waste manager.

Stationary recycling container means any city approved container of a minimum capacity of six (6) cubic yards and having a maximum capacity of eight (8) cubic yards, made of watertight construction, and constructed so that the container can be emptied mechanically by means of a front loading recycling vehicle for the purpose of collection of recyclable material as defined in the city's "Recycle Greensboro" program.

Stationary packing unit means any city approved container of a minimum capacity of six (6) cubic yards and having a maximum capacity of eight (8) cubic yards, made of watertight construction, that contains a packing mechanism and an internal or external power unit, and constructed so that the container can be emptied mechanically by means of a front loading refuse vehicle for the purpose of collection of wet and dry garbage.

Stationary refuse container means any city approved container of a minimum capacity of six (6) cubic yards and having a maximum capacity of eight (8) cubic yards, made of watertight construction, and constructed so that the container can be emptied mechanically by means of a front loading refuse vehicle for the purpose of collection of wet and dry garbage.

Unit means one (1) single-family residence or an individual apartment, motel, mobile home, townhouse, patio house, condominium, cluster home unless otherwise specified by the city.

Wastes means all useless, unwanted, or discarded materials resulting from industrial, commercial, agricultural and residential activities.

Yard waste means grass, weeds, leaves, tree trimmings, plants, shrubbery prunings, and such other similar materials which are generated in the maintenance of yards and gardens, and which are collected separately from other solid waste materials, and placed at the curbside and taken to a compost facility for recycling.

Section 2: That Section 25-13 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 25-13 Curbside collection service

City-served curbside collection services will be provided under the following conditions:

(a) *Curbside collections scheduling.* City-served curbside collection services will be provided once a week on a day designated for collection by the solid waste manager or his designee. The day designated will be the same for all collection services offered by the solid waste management division. Solid waste shall not be placed at the curbside prior to the day preceding the scheduled collection day.

(a1) *Eligibility for Service Under this Section.* All single family residents and single business units shall be eligible for service under this section. Additionally, the owner or owners of attached units in the same complex, are eligible to receive service under this section provided the following conditions are met:

1. The units share a common wall only; and
2. The units sharing the common wall have a driveway servicing only the attached units; and
3. The units have sufficient service yard necessary to accommodate the City approved containers utilized to perform this service; and
4. The unit generates no more garbage per week than can be placed or stored in a maximum of two (2) automated containers totaling a combined capacity of no more than one hundred eighty (180) gallons when accumulated between collections; and
5. The unit is accessible over streets and bridges possessing a capacity and dimensions capable of bearing City vehicles performing the services described in this Section as determined by the Director of Environmental Service or his designee. The bearing capacity must be certified by a professional engineer and transmitted to the Director of Environmental Service or his designee for determination.

(b) *Approved solid waste containers.* Eligible customers shall use only city-approved containers for all solid waste removal by the city. The following provisions shall be complied with:

(1) *Automated collection system.* Where the automated system is in use for the collection of wet and dry garbage and recyclables, the city approved automated containers shall have the capacity of approximately (90) gallons. The city shall provide one (1) ninety-gallon container for wet and dry garbage and one (1) ninety-gallon approved container for recyclables. Should this not be sufficient storage between collections, the resident or business may purchase from the city one (1) additional automated container of either type for a fee. Businesses generating in excess of two-each 90-gallon automated containers (in excess of 180 gallons per week) of wet or dry garbage or of recyclables must convert to at least a 6-yard stationary container (dumpster).

(2) *Non-automated collection system.* All households and businesses not part of the automated collection system shall provide approved containers for all solid waste for removal by the city. Wet and dry garbage containers shall have a capacity of no more than thirty-two (32) gallons. The following provisions shall be complied with:

- a. Containers shall be cans made substantially of metal or plastic. Cans shall have tight-fitting covers and strong handles and the covers shall be kept on at all times except when cans are being filled or emptied. Plastic bags serving as approved containers for solid waste collection by city forces shall be properly secured at the bag opening with a twist tie or other means to eliminate any spillage of contents.
- b. Plastic bags to be used as wet and dry garbage containers shall be constructed from film made from high quality polyethylene or similar product. Bags shall withstand normal service handling when filled to a maximum weight of fifty (50) pounds when securely closed with a twist tie.

(c) *Placement of containers.*

(1) In order to collect solid waste, the owner or occupant of each business, or household shall place all solid waste in approved containers and place such solid waste containers between the curb or traveled portion of the street and the property line closest to the curb of the premises from which the same is placed at or before 7:00 a.m., on the day fixed for collection. Solid waste will be collected and removed on the day fixed therefore by the solid waste manager. Public notice shall be given of any change of collection day. City collection personnel shall not provide service if denied reasonable access by parked vehicles, equipment, fixed objects, low hanging wires or other obstructions.

(2) The following rules shall apply for the removal of solid waste:

- a. No wooden boxes, barrels, or any other wooden receptacle, or any other receptacles except approved containers shall be used for collection of wet or dry garbage or recyclables. Solid waste collectors shall be required to remove all such wooden boxes and other receptacles, if so used.
- b. For the purpose of collection, placement of containers will be at ground level, and the use of underground containers will not be permitted save those existing prior to November 1, 1982.

(d) *Removal of containers following collection.*

(1) All containers or carriers placed on any street to be emptied shall, within twelve (12) hours after the contents thereof are emptied and collected, be removed from such street to the rear of the premises by the owner or occupant of the premises from which such container came to a storage place provided for that purpose, which storage place shall be nearer to the house or building located on the premises than to any street abutting such premises or to any lot line.

(2) No solid waste containers or any form of movable carriers shall be placed, kept or left on any street for any purpose whatsoever on Saturday or before dusk on Sunday.

(3) Any solid waste container or any form of movable carrier placed or found in violation of this section will be deemed a public health hazard and reported to the county environmental health division and be subject to the fine outlined in this chapter.

(4) It shall be unlawful to willfully break or cause damage to any city owned automated container. Any person or entity violating this section shall be required to

purchase a replacement container from the city and may also be subject to the civil penalties as outlined in this chapter.

(e) *Spilled materials.* Spilled materials or overflow not caused by city collection crews shall be cleaned up immediately after such spillage or overflow by the property owner or occupant. Spilled solid waste materials caused by city collection crews shall be cleaned up immediately after such spillage occurs by said crew.

(f) *Yard waste collection service.*

(1) Yard waste collection shall be provided to residential units and small businesses served by the automated curbside collection system as approved by the solid waste manager or designee. Yard waste collection shall be provided once a week. Residential units having refuse stationary containers (dumpsters) which are serviced by the city may also receive yard waste service if the yard waste is properly prepared as referenced below and brought to the city curb line.

Yard waste collection will not be provided to commercial establishments or industries.

(2) Yard waste shall be separated from all other refuse prior to collection. Collection forces shall collect yard waste as stated in (f-1) above so long as it is properly prepared or containerized and in compliance with these regulations.

a. Grass clippings, small shrubbery clippings, leaves, and other small lawn debris shall be collected at the curbside provided that they are placed in clear plastic bags or approved containers for collection. Such bags shall be clear or transparent, in good condition and of such size and weight that when full, do not weigh more than fifty (50) pounds each and are such that one (1) individual can easily pick up each bag, one (1) at a time, for disposal. Plastic bags shall be secured at the top when placed at the curbside for collection.

b. Other approved containers used for yard waste shall have tight-fitting lids, equipped with strong handles, and shall not exceed thirty-two (32) gallons in size or fifty (50) pounds in weight when filled. All yard waste containers shall be furnished by the owner or occupant and be made of metal or plastic.

c. Limbs and large shrubbery to be collected by city collection forces shall be no longer than five (5) feet in length and tied in bundles not to exceed fifty (50) pounds in weight and placed in an orderly manner at the curb. Binding used to secure the bundles shall be strong enough to sustain fifty (50) pounds in weight. Other yard waste items not suitable for tying in bundles must be placed in an approved container.

d. City forces will not collect yard waste and yard debris from large landscape projects performed by landscaping companies unless the yard waste is properly prepared as stated in paragraph 25-13 (f-1 through f-2).

e. Tree trunks or tree stumps that cannot be readily loaded by two (2) people will not be collected by city collection forces.

f. Loose leaves shall be collected at the curblane by city forces from November through the second Wednesday in January. All other times during the year, leaves shall be bagged or containerized in approved containers.

(g) *Large appliance (white goods) collection.* Collection of large appliances (white goods) shall be provided as follows:

- (1) White goods collection will be provided to residential units and small businesses served by the automated curbside collection system as approved by the solid waste manager or designee.
- (2) White goods collection will not be provided to commercial establishments or industries.
- (3) White goods collection will not be provided to residential units where a landlord/property owner provides the appliances.
 - a. Appliance collection will be provided to individual tenants for appliances they personally own (those not supplied by the landlord) if the residential complex has refuse stationary containers (dumpsters) which are serviced by the city.
 - b. Appliances individually owned by a tenant will only be collected if the appliance is brought to the closest city curb line. Appliances can not be placed near or in any stationary container (dumpster). All other collection procedures as outlined in this section must be adhered to.
- (4) Appliance collection shall be provided once per week.
- (5) Residents must call the solid waste management division in order to schedule an appointment for appliance collection.

(h) *Bulk trash.*

- (1) Bulk trash collection shall be provided to residential units and small-businesses served by the automated curb side collection system as approved by the solid waste manager or designee.

Bulk trash collection shall be provided once per week. Residential units having refuse stationary containers (dumpsters) which are serviced by the city may also receive bulk trash service if the bulk trash is properly prepared as referenced below and placed at the closest city curb line.

Bulk trash service will not be provided to large commercial establishments or industries.

- a. Bulk trash shall be placed to the curb by 7:00 a.m. on the collection day to assure pickup.
- b. Bulk trash must be separated from all other refuse prior to collection.
- c. Bulk trash that cannot be readily loaded by two (2) people or is too large to be placed in the collection vehicle will not be collected by city forces.
- d. All glass in windows, doors, mirrors and other items with large expanses of glass must have the glass taped with an "X" mark so it will not shatter in the collection process.
- e. Gasoline and/or oil must be removed from all lawn equipment prior to collection.
- f. Oxygen tanks and other medical equipment; propane tanks; all oil tanks used for household purposes parts of campers, boats, camper shells, trailers; automotive parts, including but not limited to motors, doors, fenders, car seats or batteries from a residentially used premise, etc. shall not be collected by the city forces.
- g. Carpet and padding shall be collected provided the carpeting is rolled and tied in sections no longer than five (5) feet so that two (2) individuals can easily pick up the sections for disposal.
- h. Overflow volumes of wet and dry garbage will not be collected as bulk trash.
- i. No building materials or refuse from building operations, construction materials or remodeling projects generated by or performed by a professional

contractor will be collected by city forces. The contractor is responsible for disposal.

(Solid waste forces will collect building materials from small remodeling projects done by the homeowner; up to two (2) 32-gallon container capacity per project)

j. Off-street special collection of bulk trash is available for an extra fee.

Notification must be made to the solid waste management division in order to schedule an appointment for service.

(2) The solid waste manager or his designee shall have the authority to require items to be prepared for ease of collection and to assure the safety of the employees performing the collection task. Any item not prepared properly may be refused for collection at the solid waste manager's or his designee's discretion.

(3) Owners/customers who become eligible for service under this Section as of March 2, 2005 shall receive it as resources become available to perform the service but in no event later than March 15, 2007.

(Ord. No. 96-37, § 1, 4-16-96; Ord. No. 00-222, § 2, 12-5-00)

Section 3. Section 25-14 of the Greensboro Code of Ordinances shall be amended to read as follows:

Sec. 25-14. Stationary container collection services (Dumpster service).

City served residential units and businesses not otherwise eligible for curbside service will be provided collection through the use of city approved stationary containers under the following conditions:

(a) *Stationary container collections scheduling.* City served stationary container collection services will be provided in accordance with the solid waste management division operating plan as designated by the solid waste manager or his designee. Variations must be approved by the solid waste manager or his designee.

(b) *Approved stationary containers.* All owners eligible for this service shall provide a city approved stationary container for service by city collection vehicles. The container capacity shall not be less than six (6) cubic yards nor greater than eight (8) cubic yards and shall not exceed eight thousand (8,000) pounds of gross weight when filled.

(c) *Placement of containers.* The required stationary container shall be located to permit convenient and safe access by the servicing vehicle and shall be aesthetically pleasing. The container location shall permit access using all-weather streets and alleys of adequate strength and to reasonably minimize excessive walking distances for tenants and occupants. Site construction shall be in conformance with the drawing titled "Stationary Container Location Standards" contained in "Dumpster Pad Standards Drawing No. D-2075." The location of the container shall be placed in a manner as to allow the service vehicle operator to service the container, backup and depart without having to exit the vehicle or make unnecessary maneuvers. Approval for city collection will not be made if safe and reasonable access is denied by gates, fixed objects, low hanging wires, or other obstructions.

(d) *Spilled materials.* Spilled materials or overflow not caused by city collection crews shall be cleaned up immediately after such spillage or overflow by the property owner or occupant. Spilled solid waste materials caused by city collection crews shall be cleaned up immediately after such spillage occurs by said crew.

(e) *Conditions for commercial collection for residential units.*

(1) The owner or owners of a residential unit or units in the same complex, not otherwise eligible for service under Section 25-13, shall install and maintain city approved stationary containers according to the following specifications:

- a. There shall be a minimum of one 6-cubic yard stationary refuse container for each aggregate of residential units which contains eight (8)--sixteen (16) living units.
- b. There shall be a minimum of one 8-cubic yard stationary refuse container for each aggregate of residential units which contains seventeen (17)--twenty-four (24) living units.
- c. Additional stationary refuse containers shall be installed and maintained as a minimum in the same ratio as herein set forth in subparagraphs (a) and (b) where an aggregate of residential units contains (25) twenty five or more.

(2) *Applicability to new customers.* All of the provisions of this section shall apply to all new construction, alterations or conversion of residential units for which any building permit shall be or has been issued after April 16, 1996 where the residential unit(s) that is not eligible for service under Section 25-13; and no building permit shall be issued after April 16, 1996, for construction, alteration or conversion of a building or group or complex of buildings falling within the application of this section unless and until a plan approved in writing by the director of environmental services or designee as showing adequate provision for installation of containerization of refuse as required by this section shall be furnished by the owner or developer; and no such residential unit(s) to which this section applies shall be constructed, altered or converted after April 16, 1996, without providing for the use and maintenance of stationary refuse containers under the specifications in this section.

(3) *Option to existing buildings, stationary container; individual city approved containers; automated service.* The association, agent or owners representing residential units not otherwise eligible for service under Section 25-13 and for which building permits were issued prior to December 1, 1984, may install stationary refuse containers under the same regulation as new customers or, if they were not a part of the stationary container collection program, they may choose collection of individual city approved containers, provided the containers are placed in the location approved by the solid waste manager or his designee and all units are receiving the same type of service. If permits were issued prior to the above stated date for only a portion of a development, the remainder of the units built and platted in the phase may have the same rights and privileges.

Charge for individual private collection service shall be outlined under section 5-21.

(4) Stationary recycling containers. To participate in the "Recycle Greensboro" program, variations outlined in subsection (e)(1)a, b, and c of this subsection must be approved by the solid waste manager or his designee.

(5) Stationary packing units providing equivalent storage capacity to that required under subsection (e)(1) a, b, and c of this subsection are permitted. Weight of containers shall not exceed the lifting capacity of loading arms on collection vehicles, eight thousand (8,000) pounds maximum.

(f) *Conditions for stationary container collection for nonresidential use.*

(1) Business unit. For a business unit or a group of units in the same complex not otherwise eligible for service under Section 25-13, stationary refuse containers shall be provided by the owner or owners at such business or complex according to the provisions as set forth in subsection (e)(1) through (5). This section shall apply to all business units existing as of April 16, 1996. The provisions as set forth in subsection (e)(1) through (5), shall apply on all attached business units existing on December 1, 1984.

(2) Business unit. Where refuse accumulates at any business unit, place or location in quantities of more than two (2) ninety-gallon automated refuse containers (180 gallons) between collections, the owner or owners in charge shall be required to provide a stationary refuse container. The size of the container shall be determined by the solid waste manager or his designee.
(Ord. No. 96-37, § 1, 4-16-96; Ord. No. 00-222, § 3, 12-5-00)

Section 4. That all laws and clauses in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective immediately upon adoption.